

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,

v.

RICHARDSON DANGLEBEN, JR.

CASE NO. 2023-_____

Rec'd JMW-1-11 07 07 23 AM 08:09

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Richard Dominguez, being duly sworn, do hereby depose and state the following:

Introduction And Agent Background

1. I am a Task Force Officer who has been employed with the Virgin Islands Police Department (VIPD) for fifteen years. I am currently assigned to the Federal Bureau of Investigation (FBI) Virgin Islands Gang and Violent Crimes Task Force operating out of the St. Thomas Resident Agency responsible for criminal investigations in the United States Virgin Islands. I have worked criminal investigations for approximately 12 years.
2. During my tenure with the VIPD and as a Task Force Officer with the FBI, I have participated in investigations into Racketeer Influenced and Corruption Organizations, Hobbs Act violations, homicides, violations of Virgin Islands Criminal Code, firearms violations, Controlled Substance violations, and arson investigations that have included, among other investigative techniques, the use of physical and electronic surveillance, the introduction of undercover agents,

the execution of search warrants, interviews of victims and witnesses, and debriefings of informants.

3. The statements contained in this affidavit are based upon my personal knowledge, as well as information provided to me by other law enforcement officials. All observations not personally made by me were relayed to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during this investigation.

4. This affidavit contains information necessary to support probable cause for this complaint and is not intended to include each and every fact and matter observed by me or known to the United States Government.

Virgin Islands Police Respond to Hospital Ground Following 911 Call

5. On Tuesday, July 4, 2023, at approximately 7:54 a.m., on the island of St. Thomas, 9-1-1 Emergency Call Center (ECC) received a call from a concerned citizen who reported that there was a shirtless, African-American male in the Hospital Ground neighborhood who was wearing a bulletproof vest and appeared to have a gun in his back pocket. Minutes later, at approximately 7:56 a.m., Virgin Islands Police Officer Shahim Skeete (Officer Skeete) was dispatched to Hospital Ground to conduct a check of the area. Virgin Island Police Officer Anisha Smith (Officer Smith) and Virgin Islands Police Detective Delberth Phipps, Jr. (Det. Phipps) also relayed to the ECC that they would travel to Hospital Ground to assist.

Contact Made With Richardson Dangleben, Jr.

6. Officer Skeete was the first to arrive in the "Jahyard" area of the Hospital Ground neighborhood. He was driving a marked police cruiser. Immediately upon

arriving, Officer Skeete observed an individual soon thereafter identified as Richardson Dangleben, Jr. (Dangleben). Dangleben was shirtless and appeared to be wearing a bulletproof vest. Officer Skeete drove up to Dangleben and said "Hey how are you doing? I need to talk to you for a second. Do you have a weapon on you?" Dangleben responded but his response was inaudible. Officer Skeete then said "you don't have a weapon on you. I just need to talk to you."

7. Officer Skeete then got out of his vehicle and said to Dangleben "I need to know if you have any weapons on you." Dangleben responded "No, no, listen, I good." Dangleben then got into the driver's seat of a four-door green Suzuki and drove away at a high rate of speed. There is only one way in and one way out of "Jahyard" area. Officer Skeete returned to his marked police unit, activated his emergency lights and followed Dangleben. He also updated dispatch as to Dangleben's direction of flight.

Shootout with Dangleben

8. Det. Phipps drove into the one-way exit from "Jahyard" to intercept Dangleben. Seconds later, as Officer Skeete rounded a corner, he observed Dangleben standing outside the Suzuki he was driving and holding a long black firearm appearing to be an assault rifle. He also observed Det. Phipps standing and facing Dangleben while holding his long gun in his hands. Officer Skeete observed that both men were exchanging gunfire.

9. Officer Skeete immediately got out of his vehicle and stood behind the driver's side door. Officer Skeete started firing his duty firearm at Dangleben, who was

continuing to fire at Det. Phipps. As Officer Skeete began firing shots at Dangleben, Dangleben fired back at Officer Skeete. Officer Skeete took cover by moving to the back of his marked police unit and fired more shots towards Dangleben. Officer Skeete observed Dangleben return to his Suzuki. Dangleben appeared to be reloading his long gun.

10. A short time later, Dangleben moved away from his vehicle and laid on the ground. He was subdued by authorities and transported to the Roy L. Schneider Regional Medical Center to be treated for the gunshot injuries that he sustained.

Evidence Recovered

11. The VIPD forensic unit photographed, processed, and collected several spent cartridges, firearms, magazines, and shell fragments from the scene. The firearm Dangleben had been using to fire at VIPD officers was found covered with what appeared to be blood and laying on the rear right passenger seat of the Suzuki Dangleben had been driving. There was no visible serial number on that weapon. It was found loaded with .223 caliber ammunition. Also recovered from the Suzuki were the following items: (1) two assault rifle magazines with a maximum capacity of forty-five rounds each;¹ (2) Seven boxes of .223 caliber ammunition containing in total approximately 120 rounds; (3) a Star Bonifacio Echeverria, model PD, .45 caliber handgun with a serial number that had been scratched out and was no longer decipherable. That handgun had a chambered round and five live rounds in an

¹ One magazine was empty. The other was loaded with 28 .223 rounds.

inserted magazine; and (4) a second .45 caliber magazine containing four live rounds.

Detective Delberth Phipps, Jr.

12. Detective Phipps' vehicle was an unmarked police unit and was found with its blue lights flashing. During the shootout with Dangleben, Det. Phipps sustained one single gunshot wound to his left abdominal area, which resulted in his death. Det. Phipps was pronounced dead by Dr. Stephen Resnick of Roy L. Schneider Regional Medical Center on July 4, 2023 at 9:05 a.m. Det. Phipps was identified by his father, Delberth Phillips, Sr.

Phipps (K)

ST-2023-CR-00077

13. At the time of the shootout described above, Dangleben was on pretrial release. Dangleben had been previously arrested on Friday, February 24, 2023 and charged with, among other charges, murder in the first degree and using a firearm during the commission of a crime of violence. ST-2023-CR-00077. His release conditions included a directive not to possess any firearms or ammunition or any dangerous weapon, and a directive to reside in the custody of his parents in Mariendahl, St. Thomas.

Interstate Nexus

14. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Nick Carter (SA Carter) is a trained and designated expert in making interstate nexus determinations for firearms. On July 6, 2023, SA Carter researched the .45 caliber handgun recovered from the Suzuki Dangleben had been driving. SA

Carter concluded this handgun is a firearm as defined in Title 18, United States Code (USC), Chapter 44, Section 921(a)(3) and was manufactured in Spain. SA Carter concluded that the .45 caliber handgun has traveled in or affected interstate and/or foreign commerce.



Richard Dominguez,
VIPD Lieutenant/FBI Task Force Officer

Subscribed and sworn to before me this 7th day of July 2023.



HONORABLE RUTH MILLER
United States Magistrate Judge